



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



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LINDA S. ADAMS
SECRETARY FOR
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ARNOLD SCHWARZENEGGER
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Certified Mail: 7003 1680 0000 6173 6392

June 17, 2008

Mr. Mike Moses
Deputy Director of Environmental Health
Siskiyou County Public Health and Community Development
806 S Main Street
Yreka, California 96097

Dear Mr. Moses:

The California Environmental Protection Agency (Cal/EPA), Office of Emergency Services, and Office of the State Fire Marshal conducted a program evaluation of the Siskiyou County Public Health and Community Development Environmental Health Division Certified Unified Program Agency (CUPA) on May 21 and 22, 2008. The evaluation was comprised of an in-office program review, and field oversight inspections, by State evaluators. The evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with you and your agency's program management staff. The Summary of Findings includes identified deficiencies, a list of preliminary corrective actions, program observations, program recommendations, and examples of outstanding program implementation.

The enclosed Evaluation Summary of Findings is now considered final and based upon review, I find that the Siskiyou County Public Health and Community Development Environmental Health Division CUPA program performance is satisfactory with some improvement needed. To complete the evaluation process, please submit Deficiency Progress Reports to Cal/EPA that depict your agency's progress towards correcting the identified deficiencies. Please submit your Deficiency Progress Reports to JoAnn Jaschke every 90 days after the evaluation date. The first deficiency progress report is due on August 20, 2008.

Cal/EPA also noted during this evaluation that the Siskiyou County Public Health and Community Development Environmental Health Division CUPA has worked to bring about a number of local program innovations, including: obtaining Homeland Security funding to purchase safety equipment and training for operation of this equipment and utilizing a portable computer system (lap top and printer) to assist regulated facilities complete and/or update required forms. We will be sharing these innovations with the larger CUPA community through the Cal/EPA Unified Program web site to help foster a sharing of such ideas statewide.

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Thank you for your continued commitment to the protection of public health and the environment through the implementation of your local Unified Program. If you have any questions or need further assistance, you may contact your evaluation team leader or Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or by email at jbohon@calepa.ca.gov.

Sincerely,

[Original signed by Don Johnson]

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosure

cc/Sent via email:

Mr. Rick Dean
Waste Management Unit Manager
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cc/Sent via Email:

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Linda S. Adams
Secretary for
Environmental
Protection

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Arnold Schwarzenegger
Governor

CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION **SUMMARY OF FINDINGS**

CUPA: **Siskiyou County**
Public Health and Community Development
Environmental Health Division

Evaluation Date: **May 21 and 22, 2008**

EVALUATION TEAM

Cal/EPA: **JoAnn Jaschke**

OES: **Jack Harrah**

OSFM: **Francis Mateo**

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. Questions or comments can be directed to JoAnn Jaschke at (916) 323-2204.

	<u>Deficiency</u>	<u>Preliminary Corrective Action</u>
1	The CUPA has not documented how the CUPA expends 5% of their hazardous waste related resources to the oversight of Universal Waste handlers and silver-only generators. HSC section 25201.4(c) CUPA forum board position [Cal/EPA]	The CUPA corrected this deficiency by updating their Inspection and Enforcement Plan to address how they expend resources to implement the oversight of Universal Waste handlers and silver-only generators.
2	The CUPA has not established the financial management procedures (including annually reviewing and updating their fee accountability program) that the CUPA is implementing: CCR, Title 27 section 15180 (e) (5) and 15220(a)(2) [Cal/EPA]	By September 30, 2009, the CUPA will submit the FY 08/09 required fee accountability information to Cal/EPA. By November 24, 2008, the CUPA will establish the financial management procedures required under Title 27 section 15180(e) (5).
3	The CUPA is neither regulating farms under the business plan program, nor properly exempting them from the provisions of the business plan program. HSC sections 25503.5(a) (1) and 25503.5 (c)(2), (3), (4) and (5). [OES]	By November 24, 2008, the CUPA will develop a plan outlining how farm businesses will be regulated under the business plan program, or how these businesses will be exempted under one of the provisions of HSC section 25503.5(c).

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4	<p>The CUPA's "Request to View Files" form does not specifically outline the types of information that is not to be made available for public inspection. The file folders do have notations on the cover that site plans are confidential, and, if applicable, that the folder contains trade secrets, but the CUPA should have a set of procedures outlining specific actions to be taken upon a request for public viewing.</p> <p>HSC sections 25506, 25511 and 25538, CCR, Title 19 section 2775.5 and CCR, Title 27 section 15180(e)(3) [OES]</p>	<p>The CUPA corrected this deficiency by developing a procedure for public inspection of records that satisfies the elements of HSC sections 25506, 25511 and 25538, as well as CCR, Title 19 section 2775.5 and CCR, Title section 15180(e)(3).</p>
5	<p>The CUPA did not have an annual CalARP performance audit.</p> <p>CCR, Title 19 section 2780.5 [OES]</p>	<p>By September 30, 2008, the CUPA will prepare a performance audit. At the CUPA's option, the information required for the performance audit can be incorporated into the annual Title 27 self audit.</p>
6	<p>The CUPA did not have a CalARP dispute resolution procedure.</p> <p>CCR, Title 19 section 2780.1 [OES]</p>	<p>The CUPA corrected this deficiency by developing a CalARP dispute resolution procedure that satisfies the elements of CCR, Title 19 section 2780.1</p>

CUPA Representative

Rick Dean

(Print Name)

Original signed

(Signature)

Evaluation Team Leader

JoAnn Jaschke

(Print Name)

Original signed

(Signature)

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

PROGRAM OBSERVATIONS AND RECOMMENDATIONS

The observations and recommendations provided in this section simply address those areas not specifically required of the CUPA by regulation or statute and are provided for continuous program improvement only.

1. **Observation:** During the file review, most of the business plan files contain the older OES 2731 or UNIDOCS forms for chemical inventories. Additionally, the Business Plan forms available on the CUPA's website are similarly the older version of the UPCF.

Recommendation: The CUPA can now use the latest version of the Unified Program Consolidated Forms (UPCF) available on Cal/EPA's Web site.

EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA's business plan inspections were thorough and very customer-service oriented. The inspectors explained each deficiency and what corrective action was required. The inspectors verified the inventory and made sure that the site map was correct. The inspectors determined how the business owner/operator dealt with universal waste. Labels were provided as needed, and the business owner/operator was provided instructions on how to fill them out. OES spill notification booklets were provided.
2. The CUPA has obtained Homeland Security funding to purchase safety equipment and training for operation of this equipment. The instruments are an MSA "Sirius" multi-gas detector, and a "First Defender" laser spectrum scanning unit from Ahura Scientific. Having these instruments available greatly enhances responder safety during a spill incident.
3. The CUPA utilizes a portable computer system (lap top and printer) to assist regulated facilities complete and/or update required forms. This allows the inspectors to ensure that business plans and other information is complete and up-to-date at the time of an inspection or other site visits, without carrying a lot of forms and then depending upon the regulated facility to return the completed information. The IT staff within the Siskiyou County Public Health and Community Development Agency was instrumental in developing this portable computer system for the CUPA.
4. The CUPA maintains an excellent inspection frequency. The CUPA is inspecting almost all of their regulated businesses annually.
5. Siskiyou County CUPA continues to incorporate reporting forms in electronic format. Approximately, 80% of the regulated facilities hazardous materials business plans are now electronic.

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6. CUPA personnel regularly attend the Northern Regional CUPA Forum Board meetings in Chico. This shows a high level of dedication of the CUPA staff since Chico is approximately three hours away from the CUPA's office. In addition, this allows the CUPA to exchange ideas, network, and stay informed.
7. The CUPA's September 2007 area plan is comprehensive, well-written, organized in an easy-to-use format, and is compliant with the requirements of SB 391 (pesticide drift), even though, at the time of the evaluation, the pesticide drift regulations are not yet in effect.
8. The CUPA maintains three (3) fully equipped chemical emergency response "decon" trailers. Two of the trailers are located at the Armory in the County Fairgrounds and one of their trailers is at the Weed Fire Department. These trailers are used for mutual aid, emergency response and training throughout the county.
9. The CUPA established an emergency response committee with representation from volunteer fire departments, local, state and federal agencies to address and coordinate issues and emergency response activities countywide.
10. Siskiyou County CUPA is a member of a State-funded inter-county area emergency response mutual aid between fire departments, US Forest Service, California Department of Forestry and Fire Protection (CAL FIRE) and community members to share manpower, equipment and expertise during emergencies.
11. The CUPA is a member of Shasta Cascade Hazardous Materials Response Team (SCHMRT), an inter-county response organization which provides training, technical assistance, personnel, specialized equipment, and advice to Incident Commanders at incidents during emergency response and hazardous waste and clean-up operations.